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UNITED STATES DEPARTMENT OF COMMERCE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,975	03/16/2004	Robert S. Biscup	MEDR 2 00001	2554

27885

7590

10/02/2009

FAY SHARPE LLP

1228 Euclid Avenue, 5th Floor

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Cleveland, OH 44115

EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 10/02/2009

Please find below and/or attached an Office communication concerning this application or proceeding.



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10801975	3/16/2004	BISCUP ET AL.	MEDR 2 00001

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Cleveland, OH 44115

## EXAMINER

Anu Ramana

ART UNIT	PAPER
3775	20090930

DATE MAILED:

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## Commissioner for Patents

The reply filed on 07/08/2009 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s). Applicant should specifically point out the support for any amendments made to the disclosure, including new claims 84-99 (MPEP 714.02 and 2163.06). Due to the procedure outlined in MPEP 2163.06 for interpreting claims, it is noted that other art may be applicable under 35 USC 102 of 35 USC 103(a) once the aforementioned issue(s) is/are addressed. See 37 CFR 1.111.

It is also noted that when new claims are added after an election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

September 30, 2009

/Anu Ramana/  
Primary Examiner, Art Unit 3775